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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/798,928	03/11/2004	Kurt Pfitzinger	5031-214	6919
20792 7590 08/21/2007 MYERS BIGEL SIBLEY & SAJOVEC PO BOX 37428 RALEIGH, NC 27627			EXAMINER WILLIAMS, MARK A	
			ART UNIT 3676	PAPER NUMBER
			MAIL DATE 08/21/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/798,928	Applicant(s) PFITZINGER ET AL	
	Examiner Mark A. Williams	Art Unit 3676	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 23 May 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 12, 13, 15, 16, 18-24, 26-28, 30, 32, 33, 35-37 and 41-50 is/are pending in the application.
- 4a) Of the above claim(s) 41-45 is/are withdrawn from consideration.
- 5) ☒ Claim(s) _____ is/are allowed. 1-9, 12, 13, 15-16, 18-24, 33, 35-37, 46-49 8
- 6) ☐ Claim(s) 23, 24, 26-28, 30, 32 and 50 is/are rejected.
- 7) ☐ Claim(s) 1-9, 12, 13, 15-16, 18-22, 33, 35-37, and 46-49 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 23, 24, 26-28, 30, and 32 are rejected under 35 U.S.C. 102(b) as being anticipated by Schonitzer, US Patent 2,374,840. A rotary unit for use with a locking system, comprising a base plate 12 having a slot; a rotary member 14 rotatably mounted with the base plate about a first axis of rotation at 11, the rotary member including of at least four fingers extending radially outwardly from a central portion thereof and an engagement portion 15 fixed to the central portion, the engagement portion having a plurality of teeth (these teeth being similar to the fingers of the rotary member 14); and a pawl member 16 pivotally mounted with the base plate about a second axis of rotation at 17 and adapted for coupling with a connecting member, the pawl member including an engagement projection that selectively engages the teeth of the engagement portion of the rotary member to at least partially prevent rotation of the rotary member in a first rotative direction but

at least partially permit free rotation of the rotary member in a second rotative direction that is opposite the first rotative direction. A biasing member 19 that biases the pawl member to engage the engagement portion of the rotary member. The rotary member includes at least six fingers (this is by virtual of the layered plates 22 of 14, since each plate has at least 4 fingers--see figures 8 and 4). The rotary member is formed of multiple layers that are disposed normal to the first axis of rotation. The multiple layers include outer layers that form the plurality of fingers and inner layers sandwiched by the outer layers that form the engagement portion. The rotary member fingers are lobed. The engagement portion includes at least twelve teeth (by virtual of the multiple layers).

1. Claim 50 is rejected under 35 U.S.C. 102(b) as being anticipated by Girard et al, US Patent 4,927,196. A rotary unit for use with a locking system, comprising a base plate 3 having a slot 5; a rotary member 1 rotatably mounted with the base plate about a first axis of rotation, the rotary member including a plurality of fingers (13, 14) extending radially outwardly from a central portion thereof and an engagement portion (18, 19) fixed to the central portion, the engagement portion having a plurality of teeth; and a pawl member 20 pivotally with the base plate about a second axis of rotation (at 28) and adapted for coupling with a connecting

member 25, the pawl member including an engagement projection that is capable of selectively engaging the teeth of the engagement portion of the rotary member to prevent rotation of the rotary member in a first rotative direction but permit free rotation of the rotary member in a second rotative direction that is opposite the first rotative direction. A biasing member 22 that biases the pawl member to engage the engagement portion of the rotary member. The engagement portion is a circular gear with at least 12 teeth as claimed.

Allowable Subject Matter

2. Claims 1-9, 12, 13, 15-16, 18-22, 33, 35-37, and 46-49 are allowed.

Response to Arguments

3. Applicant's arguments with respect to the claims of record have been considered but are not persuasive.

Applicant argues that the device of Girard et al. is not capable of functioning in the manner claimed since the pawls are designed to prevent rotations in both directions. However, when considering only one pawl, the claim limitations are structurally met by Girard, and the device is capable of functioning in the manner

claimed. Applicant has not sufficiently amended the claims to overcome the applied art of record.

Conclusion


This action is non-final.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark A. Williams whose telephone number is (571) 272-7064. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jennifer Gay can be reached on (571) 272-7029. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Mark Williams
8/14/07



JENNIFER H. GAY
SUPERVISORY PATENT EXAMINER